IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 5208 OF 2001

Saraswat Co-op. Bank Ltd..... Petitioner

versus

Sheela Gandhi Rao & ors..... Respondent.

Mr. Prashant Naik for the petitioner.
Mr. N.N.Bhadrashete for respondents 1 and 2.
Mr. S.K.Chinchalikar AGP for respondent no.7
M<r. Ganesh Jadhav for respondent no.6.
Respondent no,4 present in person.

CORAM; A.P. DESHPANDE, J.
DATED; 30TH AUGUST, 2007

P.C.;

1. An award has been passed by the Co-operative Court in favour of the petitioner. In execution of the said award an order passed by the petitioner no.2 was challenged by filing a revision before the Divisional Joint Registrar. Divisional Joint Registrar allowed the revision application and aggreived thereby the present writ petitions came to be filed.

2. Pending the petitions, parties have settled the dispute out of court amicably. In terms of settlement, the bank admits to have already recovered a total sum of Rs. 70,36,782/- in W.P.No. 5208. Parties have agreed that the respondent shall pay a further sum of Rs. 51,33,000/- in the said writ

petition to the petitioner bank from the Escrow account. In W.P.No. 8240/03 and W.P.No. 2008/04 it is agreed that the respondent shall pay a further sum of Rs.21,83,000/- in respect of recovery certificate towards full and final satisfaction of the bank's claim against the respondent. The Consent Terms are signed by the contesting respondents and their advocates. The Consent Terms are not signed by the respondent nos. 4 and 5 being formal parties. The respective advocates appearing for the parties places the Consent Terms on record and prays for acceptance of the same and for consequential disposal of the writ petitions in Consent Terms. The Consent Terms are taken on record and marked 'X' for identification. The same are accepted and the writ petition is disposed of in Consent Terms. The undertaking contained in the Consent Terms are accepted.

2. The civil applications are also disposed of in view of the dispopsal of writ petitions.

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